NEW YORK, SATURDAY, DECEMBER 22, 1894.—COPYRIGHT, 1894, BY THE SUN PRINTING AND PUBLISHING ASSOCIATION.

Schmittberger Says He Paid Williams Bribe Money.

BRIBED McAVOY ALSO

Accusations Against President Martin and Commissioner Sheehan.

SAYS SUP'T BYRNES WAS SQUARE.

A Sweeping Confession Covering Protection in Five Police Precincts.

The President of the Police Board Accused of Protecting Disorderly Houses and Punishing Officers for Excise Arrests; Commissioner Sheehan of Trying to Protect a Cambling House - Byrnes Interfered-Polley Shops Paid 800 a Month Regularly; Pool Rooms \$200 a Month; rderly Houses \$10 to \$50 a Mouth-Two Inspectors Got from \$50 to \$200 a Month from Schmittberger-Ward Men Got 20 Per Cent, of Collections-McAvov Objected to Disorderly House Money, but Took It-Capt. Martens Alleged to Have Paid Williams for Promotion 500 to Be Roundsman, \$1,600 to Be Sergoant, and \$14,000 to Be Captain-Indictments to Bo Based on the Testimony.

Police Captain Max F. Schmittberger of the Tenderloin precinct, who is under \$15,000 bail on the charge of having extorted \$500 from Agent Forget of the French steamship line, and whose name has been mentioned in connection with many other corrupt transactions, appeared before the Lexow committee yesterday, made a full and elaborate confession of his own corruption, and accused many other police officials, He swore that he had paid to Inspectors Williams and McAvoy percentages of the blackmail collected by him monthly in five of the six precincts in which he has been in command.

He charged Police Commissioner Martin with having ordered him to protect without cost various disorderly houses in the Twenty-second police precinct, and with having transferred him from the Twenty-seventh precinct because he had made "genuine" arrests for violations of the Excise law.

He charged Comm ing endeavored to induce him to permit a firm of gamblers to open a gambling house in the Twenty-second precinct against the explicit orders to the contrary of Superintendent

He charged in general that every Captain levies blackmail and divides the blackmail with the police Inspectors, and that promotions in the force (his own case being an exception) are procured only by purchase or through political influence, and in particular that Capt. Martens's him \$14,000.

He stated that he believed Superintendent Byrnes to be an honest official, whose good intentions in the matter of the administration of the Police Department are hampered by the interference of the Police Commissioners. His long examination was conducted by Mr. Goff. with the constant aid of Mr. Moss and Mr. Jerome, and with suggestions under circumstances which indicated that indictments will grow out of his testimony. The court room throughout the day was densely packed. All of the committee were present, and while but few questions were propounded by committeemen, they listened to the examination with intense interest throughout.

When the committee was called to order, Senator O'Connor denied the genuineness of an interview, purporting to be with him, published in vesterday morning's World. The "fake" made Senator O'Connor attack Mr. Goff for his method of examining witnesses. Senator O'Connor said that, while he realized that Mr. Goff's examinations had violated all precedents, the method was necessary to produce results, and was approved by the committee. Senator Lexow said that the committee willingly shared with the counsel the responsibility for what has been done and for what may be left undone. Mr. Goff responded to this that he shared the responsibility for what had been done, but furthermore he said not. Committee and counsel talked so long that it was evi-Tent that some one was being waited for, and they were merely killing time. To help kill it, a man named Adolph Reinhart was sworn and disclosed that he had been served with a bogus subposna on which Mr. Goff's name was forged. Counsel and committee appeared nervous and restless and anxious, and there were many eager glances cast toward the entrance door. All faces seemed satisfied when Capt. Schmittberger was seen to enter.

SCHMITTBERGER PROMISES THE WHOLE TRUTH Then the man with the false affidavits stepped down and Mr. Goff rose, tapped the table with his fingers nervously, looked about among the swowded and excitedly expectant auditors, and said in a tone as calm as he could command:

"Capt. Schmittberger, take the stand." If the manner of the calling of the witness left any one in doubt as to what was to follow, the appearance of the witness himself did not. He was pale and looked as if he had not slept for days and nights. Instead of being in uniform as he was when he was called and declined to answer questions on the grounds that his anawere might tend to incriminate him, he was dressed fashionably in plain clothes. As he passed the stenographer's table that official asked, as is his custom. "Your full name, The witness stopped and answered, "Max F. Scmittberger.

You have been sworn already, I believe."

said the Chairman. I have," responded the witness, and sat down in the chair-the second police Captain to take

the chair a second time and to confess after a refusal. Mr. Goff turned to the witness and said in his politest small talk tone:

Q.—And are at present in command of what present? A.—The Nineteenth.
Q.—The Tenderloin? A.—The Tenderloin.
Q.—You are called before this committee as a

administered to you, you appreciate the obliga-tions you are under? A.—I do, sir. Q.—That oath is binding on your conscience to tell the truth, the whole truth, and nothing but

The witness gathered himself a little in his chair and his hands, which had been easily clasped, clenched each other before he an-

and the whole truth, without any promise."
Q.—The law guarantees you under such cir cumstances certain privileges and exemptions but, aside from those, are you prepared to testify without reward or promise of reward? A.-I am, sir.

Mr. Goff-I ask the Chairman at this point to explain to the witness his relations to the committee in respect to the privileges and exemp-tions the witness is guaranteed, not by the committee, but by law. I ask this because there has been some misunderstanding growing out of comments in the press concerning the relation of the witnesses before this committee under

Chairman Lexow-We are here-this commit tee-to investigate the general system of police administration in this city; not specific cases of police corruption, except as an investigation of specific cases will illuminate the general subect. A witness who comes before this commit answer to his subpæna and tells the truth as he is inquired of is guaranteed by the law, not by this committee, as has been stated in the press, certain privileges and exemptions. That, eay, is the guarantee provided by the general law, but I will add to you, witness, that if you aid of which will be valuable to the State, we should ider it our duty, both as Senators and as individuals, to see that those immunities to which such a witness is entitled are safely guarded. An individual case of corruption is neignificant compared to the value of securing facts which will aid the Legislature of this State to enact such laws as will tend to remedy the evil system which has here been proven to

exist. Capt. Schmittberger listened attentively to the Chairman's remarks, and lowed slightly

DID NOT PAY TO GET ON THE FORCE. Q.-When did you join the force? A.-Jan

28, 1874. Q .- How old were you then? A .- Twenty-two. Q .- What was your previous business? A .- 1

Q.—Are you married? A.—Yes, sir. Q .- Did you pay for your appointment?

Q.-Nor civil service examinations begun A.-No. sir.

Q .- Where were you first assigned? A. old Twenty-ninth, now the Nineteenth-the

Q .- And how long were you there as patrol man? A .- Three years. Q .- And so became pretty well acquainted with the Tenderloin and its characteristic fea

life of a patrolman, even in the Tenderloin?

of a patrolman resulting from favoritism? A. Yes, there are always some men who are favorites of the Sergeants.

sleep, or making distinctions between dead and Q .- What is the distinction between dead an

lively posts? A.-A dead post is one in a quiet neighborhood, a lively post is where there is chance for the police plenty going on, and

man to get a cup of coffee perhaps, or some thing like that. Q .- Who decides these assignment poets? A It is generally the Sergeant, but sometime

the officers? A .- Sometimes Q.-And affects discipline? A.-To a certain

POLITICAL INTERPERENCE WITH THE FORCE

Q .- What is the cause of favoritism? A. am not prepared to answer-it might be the Sergeant's liking or interest in a particular man Q .- Well, it is commonly rumored, and there has been evidence of it here, that these ad vantages and display of favoritism are brought about by the interference of local politicians or olitical corruption 7 A .- Yes, sir, it has,

-Decidedly detrimental. Q .- In effect the Sergeant becomes the mouth piece of a local politician? A .- Yes, sir.

Q .- The politician goes to the Sergeant and exercises his influence? A .- That is the way. Q .- In what direction does the Sergeant rec ognise that influence can be exerted? A .- Ar influence with the Sergeant's superior officers

Q .- And the Sergeant recognizes that that in fluence would be exercised to his detriment if he opposed the interference of the politician? A.-

other favor relies for aid on the politician to whose interference he submits? A .- Yes. Q .- He relies on his pull thus obtained as muc as on his merits and record for his advance

ment? A.-More so, sir. Q .- Are Sergeants moved by other considers tions to show favoritism to certain officers-by financial consideration? A .- I have never hear

Q .- No money for details to special duty? A I have heard that money was used for that, but know nothing of my own knowledge.

pointed between 1884 and 1894 was an improvement or a deterioration compared with the men ted on the force from 1874 to 1884? A. I think the older men make better policemen

strong and intelligent men as the old ones. They are more politicians than men who catch on to their line of duty.

ALLEGED BROKERS IN APPOINTMENTS. Q .- There is evidence here that applicants for appointment to the force have to pay? A .- Yes,

general understanding that applicants for ap-

A .- Certainly, sil Q .- Would not that tend to deteriorate the class? A .- Yes.

mointment to the force? How collected, and to whom it ultimately goes? A .- Not about appointments, but I can tell you about pro Q .- We will come to that later. You have heard of men who are known as the go-betweens

in this matter of paying for the appointment?

Q .- Men who it is well known had to be "seen"

A.—Well, Charley Grant, Commissioner Clave's secretary, is the only one I think of. Q .- And Myers, the tailor near the Hotel Metropole? A.—Oh. yes, yes, Q.—And Alderman Parks? A.—I know of that only from reading.

"PAT MEN" MAKE POOR POLICEMEN.

Q .- Now, so far as the discipline of the departnent is concerned. What was your experience with the men who paid for their appointments A.—They make poor policemen. They feel that as they have purchased their position they are

Q .- As to infraction of law and rules and as t clubbing? A .- There was more of that with the pay men than with the older men.
Q.-Why? A.-Well, the men who pay for

their places are not as ready to obey orders as the older men are.
Q.—In case of the violation of department

ules, or the laws of the land, what has been the attitude of these pay men when brought to trial? A.—They seem to feel that they have a right to more protection than others. Q .- Was their defence before the Police Board

legitimate defence or pull? A .- Pull. A GREAT RUBH TO HEAR THE CONFESSION.

At this point recess was taken, the wit ness going out for lunch in the custody of the Sergeant-at-Arms. The news that Capt. Schmittberger was on the stand and making a confession spread apparently throughout the recess hour, not only to the immediate vicinity of the white Court House, but into distant parts of the city, for when the doors were reopened for the afternoon session there were in the struggling, Q .- Who appointed him? A .- Williams. MUNRINGER'S MINERAL WATER.

been kept in a precinct in spite of the protests of Captain? A .- The Captains generally pick their own ward men. I remember the case of Brennan who was detained in Union Market station against the protest of the Captain, but can't recall another case where a Captain could not get the ward man he applied for.

Q.—Recurring to the Pequod Club. Was it brought to your knowledge that liquor dealers were compelled to buy the mineral water sold by its secretary, Louis Munninger? A .- I have

Q .- Is it not a fact that most all the liquor dealers in the Tenderloin use his mineral water? A .- Yea.

Q .- And that those who refuse are threatene by the police? A.—I don't know as I heard that. Munzinger came to me and asked me to see two or three liquor dealers and secure them as customers. I got one, but he discarded the mineral water after a week, because he said it was not

TENDERLOIN RESORTS PAID FOR PROTECTION. Q .- Now, returning to Ward Detective Price. He had charge of a great many disorderly

Q .- Now, give us what was the common understanding throughout the force why so many disorderly houses were allowed to flourish in deflance of the law? The witness raised his hand from the bench

said. "It was because they paid for protection. Q .- What, such as the Haymarket? A .- Yes, Q.-And Tom Gould's notorious place? A.

by his side, folded his arms, and after a pause

Q .- And many other notorious resorts and disorderly dives in the Tenderloin? A .- Yes, sir.



SCHMITTREEGER TESTIFYING.

Q .- Such as -- ? A .- The Star and Garten the Cremorne, the Newport, the St. Lawrence

Q .- By the way, that St. Lawrence Hall is no a church? A .- No, sir, a theatre now. It was first a church, and the Cremorne is a miss Mr. Goff-I'll say, Senators, that the first time in my life I was prayed for in public was in the church which succeeded St. Lawrence Hall. I happened to be the lawyer for the mortgagee, and I was in the church one time when the min ister said that in spite of my many shortcomings -and indeed I needed praying for I was no beyond hope of redemption for my good offices in connection with that mortgage. [Laughter.] RESORTS OF THE THIEVES OF THE WHOLE

Q .- Now, the Captain knew that all these places of ill repute flourished openly and flarrantly? A .- Yes.

obeying the excise law? A .- No, none. Q .- And they were the resorts of thieves? A Those dives were the resorts of the thieves of the whole country who went there to meet pros-

titutes. It was their headquarters. Q.-Such places as Shang Draper's? A.-Yes Q .- And Billy Porter's? A .- No; he was killed in Shang Draper's saloon

Q .- Was anything said among the members of the force why these places were allowed to run n open violation of the laws? A .- Nothing was said, but it was perfectly well understood that they were allowed because they were protected.

rectly? A .- Capt, Williams. This answer created a sensation which the chairman promptly suppressed.

Q .- Could it have been possible for such place to be openly conducted without the toleration of the Captain? A .- It could not.

I know of no case. made the officers on post not interfere? A .- The officers on post are instructed by the ward man,

and the officer on post takes it for granted that those instructions come from the Captain. Q .- So if the officer on post was told not to interfere with the Star and Garter or the Cremorne, he did not? A .- He did not.

fere? A .- His post would be changed. Q. So we have it that an officer's official existence depends on his being blind to crime? A.

That is so. Q.-Do you know of no such case? A .- No because the men for such posts are selected by the ward man for that purpose, and they know

Q.-Is the officer on post instructed to co operate with the keepers of such disorderly places to suppress the notoriety of fights and erimes occurring there? A. The officers on post would know of themselves what to do it anything of that kind happened in a protected place; they are not to interfere Q .- The officers would prefer to cooperate with

the keepers rather than with a complaining citizen? A. That is the case. Q .- In other words, that is part of the protect don? A .- Yes, sir.

The witness was inquired of concerning the killing of a special officer named Coleman in a saloon on Seventh avenue, but he said that it occurred on the other side of Seventh avenue. ot in the Tenderlein, and he professed to know nothing about it. Mr. Goff then testified that an officer assigned to special duty was killed in front of a disorderly house on Seventh avenue and that the death resulted in no inquest, arrest, or judicial inquiry. Mr. Goff intimated that the case was hushed up through a police Captain's influence. While you were a special patrolman or

ward detective were you ever instructed by your Captain to exact any money or tribute from law-

breakers other than the protected classes? A.

Q .- Or did you exact any? A .- No, sir. I was assigned to attend to legitimate cases. Q .- Then your duties were of a limited scope

MADE BOUNDSMAN FOR FINDING CLIST WHEEL,

The witness said that he was promoted to be s roundsman in 1880, while in the Tenderloin, by Commissioner Wheeler, and paid nothing for

Q.-Paid nothing? A .- I paid nothing. It was a funny thing why I was promoted—I found Commissioner Wheeler's dog. [Laughter.] Mr. Goff then read from the official record of the witness to show that up to the time of his promotion to be roundsman he had a very good record, and then asked, "Notwithstanding your good record and long service, you were not pro-moted until you found a Commissioner's poodle? What did you do as roundsman?" A .- I never did a roundsman's duty. I held the rank, but

continued to do duty as a ward detective.

Q.—While acting as detective in the Tender loin, did you know that well-known thisver were allowed to frequent places there? A .- Oh.

yes. They were allowed.
Q.-By arrangement? A.-No; they flocked there from all over the country.

Q.—And you used them as stool pigeons? A.

Yes; we get information that way sometimes. Q .- And they gain immunity that way? A. Not from me, Mr. Goff was anxious to know about the thieves' fences of the Tenderloin and mentioned

several, all alike as to their first names, Doc Simmons, Doc Holman, and Doc Bliss. The witness had heard of them, but they were "on the other side of Seventh avenue," which seemed to be the location of a number of places he did not want to talk about. The witness remained a roundsman until 1883. During his service there the Tenderloin was commanded by Steers, Williams, Berghold, and then William

Q .- And during all that time the same conditions existed as to disorderly houses, dives, and thieves' resorts? A .- Yes, sir. WILLIAMS AND THE TWENTY-SEVENTR STREET

Q.-Do you remember complaints made to Williams about the disorderly houses on Twen-ty-seventh street? A.—Yes. An association was formed to clean out that street. A man named O'Mailey, a plumber, called at the station house

and made the complaints. He insisted upon Williams breaking up those houses. Williams told him to get out. He had a friction-a large friction-with Williams-Mr. Goff interrupted to inquire in a tentative manner, "Friction"? The witness turned very red, and then smiled and said: "Why, yes, a

friction with Williams." And everybody laughed as though he had explained something that was humorous. It may have suggested Mr. Goff's pext question. -Do you remember Williams's threat to Q.—Do you remember Williams's threat to club the members of that society out of the precinct? A.-Well [pausing], well, afterward

they went to Headquarters, and then Williams sent me down on the street to keep them in Q .- Did he give you orders to extirpate the houses? A .- No, they were ordered to run low

I presume to save him trouble.

Q.—Do you remember Emil Platelle of Weet Twenty-seventh street? A.-Yes.
Q.-Did you ever hear that house called the

Captain's house? A .- No. I never heard that. Q.—Do you remember it had an art gallery?

A. (thoughtfully)—No. I thought I knew all the art galleries in the Tenderloin Q.-Well, we will call it an album of French pictures? A .- Oh, ves. I knew of that.

Q .- And all the police knew of it? A .- Oh yes, I guess they did. Q.-Did you know of Capt. Williams taking guests there? A .- I don't.

DID NOT PAY TO BE MADE SERGEANT. The witness, in answer to questions, said that he was promoted to his Sergeancy on the nomination of Commissioner French, and did not pay a cent for it. He had received two honors

ble mentions, had made an important arrest o a burglar, Michael Daudel, and had been shot at Q.-When you were a Sergeant, did the law permit you to accept bonds? A .- A part of the e. The law was changed during my time. Q.-And there were regular bondsmen then: A .- No: there were men who lived in the vicinity and were frequently sent for, but I know of n money being paid to them.

VOORHIS MADE HIM CAPTAIN-NOTHING PAID

FOR IT. The witness remained in the Tenderloin as Sergeant from 1883 to 1890, when he was appointed Captain on the nomination of Commis

O .- Did it cost you anything? A. (emphati cally)-Not one red cent. I was at the head of the civil service list in a large class with a rating of 99 plus, and I had a good record and thought l was entitled to promotion. I asked Commis-sioner Voorhis to promote me, and he said he would take my record under consideration. want to say right here that I consider Commisstoner Voorhis a very honest man, and I don't believe those stories about his receiving pay for

Q .- But you used influence? A .- Yes, sir, Mr. Ottendorfer saw Mr. Voorhis for me, and Her man Oelrichs wrote a letter for me and was much interested in my case, and others helped me in that way.

SCHMITTBERGER, 80 PER CENT.: VAIL, 20 PER CENT.

Q.-Well, where were you assigned first as Captain? A .- To the steamboat squad. Q .- And there you became aware of certain lections? A. (reddening)-Yes. Q .- How? A .- Detective Vail told me.

-Told you what? A .- That it was the cus

tom for the Captain to receive half of what the men got on the docks. Q .- When Vail told you this, did you at that time expect that you were to reap any benefit as Captain outside of your salary? A .- Yes. first told Vall I did not care for it, but he said

Taylor did. Vail has said here that I told him wanted it all. I want to brand that here as Q .- What did he bring you? A .- One hundred and eighty or one hundred and ninety dollars a

was a damned fool if I did not do as Gastlin and

Q .- Did you give him anything? A .- I did: 20 per cent. [Vail testified that he got nothing].
Q.—He said that that was the common prac-Q .- Now, Captain, was it not commonly under stood that Captains were to make money out of

their positions? A .- Certainly. Q .- Universally understood? A .- Certainly Q .- Was there anything but the dock money in the Steamboat squad assignment? A.—No.
In that command Schmittberger designated

he had been there two months. Q .- Did you tell Gannon anything about the illections? A .- He had been detective under Gastlin. He went on with the collections after Vail left. He knew.

Jannon as his ward man to succeed Vail after

Q .- Did you pay any part of your collections at the Steamboat squad to any other police of ficial than your collector ! A .- No. sir. I had a conversation with Inspector Steers when I went there. He told me there was hardly anything in the precluct and that he would not expect anything from me. I did not give him anything. Q .- There was no other source of revenue there but the dock money? A .- That was all. TOOK COLLECTOR GANNON TO SIXTY-SEVENTS STREET.

Q .- It was not an attractive station? A .- No it was not. I asked Voorhis to get me up town lived up at 173d street and wanted to be nearer home. In thirteen months I was trung-

ferred to the Twenty-fifth precinct (Sixtyseventh street, near Third avenue).

Q.—When you were transferred did you pay

anything for it. A .- Not a cent. There was guite a shake up and I was in it. Q.—Who were the ward men there? A.— Campbell and Martin when I went there, but I

had no confidential relations with them. They were remanded, and I had Gannon transferred to me from the Steamboat squad.

Q.—That is the general practice—to have a man with whom you are to have confidential relations transferred to you? A.—Yes.
Q.—And when he is made ward detective, he

is practically relieved from duty? A.—Yes.
Q.—To be the Captain's collector? A.—Yes. NOTHING BUT POLICY SHOPS AND BOHRMIANS Q .- What lines did you lay out with Gannon

A .- (In disgust.) Oh, there was nothing ther but policy shops. Q .- How many? A .- Ten.

Q .- What did you and Gannon determine they were to pay? A .- Twenty dollars a month. That a the regular rate for policy shops.

Q.—How did you learn that? A.—A man named Parker had the shops, and he came and saw Gannon, and Gannon did the rest. Q .- But we want to know how that sum was

agreed upon-\$20. A.-Oh, that was the old price agreed upon years before my time. Q .- Were there any other sources of revenu there? A .- There was a Bohemian liquor dealers' association. They contributed \$80

month. Q .- How much of the collection did you receive? A .- Eighty per cent.; Gannon 20 pe

Q .- Is that the recognized division? A .- Yes Q .- In all the precincts? A .- In all. Q.-What was the net sum you received Oh, 20 off of \$280.

The witness said that there were no disorder! houses in that precinct, and the "gyp" business (bogus horse dealing) produced no revenue for im. Then Mr. Goff led up to the first big sen sation of the day.

A DIVVY WITH INSPECTOR WILLIAMS. Q .- While you were in command of that pre cinct, and getting the tribute you have testified

to, did you give any part of it to any police official other than Gannon? A.—I did. Q.—To whom? A.—To Inspector Williams. The Chairman's gavel was for some time in futile opposition to the hum and buzz of excited comment before Mr. Goff could be heard ask-

ing, "How was that arranged?" A.-I relieved Capt. Gunner in that precinct. We had a confidential talk about this matter, and I asked him how much I should give for the Inspector, I wanted to know how much, because, as I told him, I did not want to give less than he had given. He said \$50 or \$75 a month He said that he had been in the habit of putting \$50 in an envelope and giving it to Price. Q.—The present Capt. Price? A.—Yes; t

Price, who gave it to Williams. Price was the Sergeant on Inspector Williams's staff. Q .- And did you do the same? A .- No; I, knowing Williams, did not think it was necessary to give the money to Price, and so I went to

Williams and gave it to him. Q.-Personally into Inspector Williams' hands? A.-Yes. Q .- What did he say? A .- Nothing.

Q.-This from the very first month you were n the precinct? A .- Yes. Q .- Who knew of this besides you two? A.

Q .- Did you deposit your share to your bank secount? A .- I might, but I probably used it as I went along. Q.- How long were you in that precinct? A. Three months.

Q .- And you paid Inspector Williams each month? A -Ves Q .- The same amount? A .- No, I think I gave

him \$100 once.
Q.-Why a larger sum? A.-I thought it was due to him: \$50 was a small amount.
Q.—You thought it prudent? A.—Yes. WILLIAMS COULD HAVE RAIDED THE POLICY

SHOPS. Q .- Why? A .- Because it was in Inspecto Williams's power to send men up there and raid those policy shops over my head. I thought he would not do so while I was paying him. Q.-What staff had Williams? A.-Only

nan and a Sergeant, but he co men from Headquarters or from any precinc and raid over my head. Q .- Then we have it here that you gave mone to Williams so that he would allow you to con-

tinue to derive this revenue from saloons and policy shops-allow you to continue permitting them to run contrary to law? A .- Yes. Q .- You always paid him in bills, A .- Yes, I is generally understood in the department that

Q.—The Bohemian liquor dealers paid you t be allowed to sell liquor on Sundays? A .- Yes O .- To violate the Excise law? A .- Yes, sir.

all such money is to be paid in bills.

SCHMITTBERGER DID NOT REPORT THE POLICY SHOPS. The witness commanded in the Twenty-fifth from January to April in 1892, up to the time of what is called the general shake-up. During that time he said that he made regular reports o Headquarters as to the existence of gambling

shops and other disorderly places. Q .- Did you report those policy shops? A. No. sir. Q .- To whom did your reports go? A .- To the

Inspector of the district, Williams Q .- Had the Inspector knowledge of the existnce of those shops outside of the evidence based upon your payments? A .- I assume he cause he could have raided them

Q .- It was his duty to know if you permitted hem or any other disorderly places to exist A .- It was. Q .- And, knowing they existed, what then be

came his duty? A .- To raid them and to prefer charges against me. Q .- Did he ever raid them? A .- No. Q .- Or prefer charges? A .- No.

Q .- Could policy shops exist in a precinct with out the Captain's knowledge? A .- For a short Q .- If it had not been your interest otherwise ou could have suppressed them? A. No; they

could be driven from place to place, but not sup-Q.-Were you ever instructed to raid policy Q .- As to excise violations? A .- I was in

structed to make excise arrests.

Q .- But was it your understanding that as you were paying the Inspector you were not expected to make excise arrests. A. Yes. You felt safe, then, so long as you gave the Inspector money? A .- So far as he was con-

cerned. POLICY AND POOLS IN SIGRTY-SIGHTH STREET The witness said that at that time, up to his transfer from the Twenty-fifth precinct, Murray was Superintendent in fact, but Byrnes actin Superintendent. Then, in April Byrnes was made Superintendent, and the general shake-up soon followed which resulted in Schmittberger's transfer from the Twenty-fifth to the Twenty seventh (East Eighty-eighth street) precinct. In his new precinct he remained from April to

Twenty-seventh? A. From policy shops and pool rooms. There were ten policy shops, each paying \$20, and three pool-rooms, each paying \$200 a month. That made a total of \$800 a month Q. Who was your ward man? A. Gans He was transferred with me, as most of the ward

men were, with their captains in the general Q. -And Gannon went about it in the usua A. Parker came and told me the nam

Q.-As to pool rooms? A .- The proprietors

came to see Gannon, who reported to me that he had made the same arrangements with them as existed under my predecessor, Capt. Carpen-

There was nothing outside of pool rooms and policy. NOT SAFE TO TOUCH LIQUOR DEALERS UP THERE

PRICE TWO CENTS.

Q.-What about the liquor dealers? A.-I ter had trouble with them. Q .- That is, it was understood that the liquor dealers had made their peace with Tamma

Hall? A.-Yes. Q .- And what was the reason you did not ing terfere? A .- I do not know if it was true, but I made up my mind not to touch them.

Q .- You had knowledge of the common rumor that the liquor dealers had earned exemption from the police by arrangements with Tama many? A.—Yes.

Q .- As a matter of fact, the liquor dealers werd

assessed before? A .- Oh, yes, of course. \$200 A MONTH TO WILLIAMS.

Q. Now, did you give any part of that \$800 @ nonth to any police officer other than Gannon A .- Yes, about \$200 a month to Williams. Although the witness mentioned Williams's

name many times during the long examination, he never did so without a little movement which can only be described as gathering himself together. Sometimes he leaned far forward with his right arm stretched out on the desk in front of Senator Bradley. At others he loafed care lessly in his chair with his hands tossed on his lap, or rested his head on his hand, or folded his arms, but whatever his position was, in-variably before mentioning Williama's name he would gather himself snugly together, close his feet and knees together, clasp his hands tightly sit up straight and firm in his chair, and all this added to the sensation which always followed the mention of Inspector Williams's name.

Q .- And you paid him by the same method as before? A.-I sometimes went to headquarters with the money and sometimes he would come to the station house where I would give it to

Q.—Had you any conversation about it? A.—No, I'd just say "Here is something for you. Q .- Did he ever try and ascertain what your

evenue was 7 A .- No; he knew the pool rooms

were there. Q.-How do you know he knew? A. (defiante ir)—He knew.
Q.—Notwithstanding your reports to the con-trary, was it his duty to know if there were open violations of the law? A.—He is responsie

ble for his district. The witness said the pool rooms, which were in the neighborhood of Eighty-first street and Third avenue, were in the rear of saloons, and were run without any pretence of secrecy. Q .- And the Inspector could have obtaine

evidence? A.—Yes.
Q.—And you paid that \$200 a month to Inspector Williams so that he would not interfere with those pool rooms and policy shops? A.-Q .- Did you report those pool rooms? A .- No.

Q.-And your reports ignoring them were faise? A .- Yes, sir. DRAFTING INDICTMENTS ON THE SPOT. Mr. Goff went over this ground several times carefully and in great detail. His question were frequently prompted by Assistant District Attorney Lindsay. District Attorney Fellows's assistant, Battle, seemed much interested in these carefully elaborated questions, the answers to which were noted by Mr. Lindsay, The purpose of this formality in the question

was indigrated when one of the Senators mid associating about the ground having been cov-ered. Mr. Goff replied: "It is for the purpose of the record, Senators; we want these facts of the record in legal form." Mr. Lindsay draws up the indictments for the District Attorney's

Q .- Had you any other income there, presents or gratuities? A.-No. Q.-Then in your nine months in the Twentys seventh you paid to Williams-7 A.-About \$1,800.

Q.-During your occupancy of those two precincts had you knowledge that other Captain were paying the Inspector of the district? A.-I had no personal knowledge-it is the customs TRANSPERRED FOR MAKING EXCISE ARRESTS. O.-Why were you transferred? A.-I wa transferred for interference with liquor dealers for making genuine arrests instead of fake ar rests; for making arrests for selling, not for ex-

posure. When Superintendent Byrnes was appointed he called in all the Captains and told us that he wanted no more fake arrests for viola tion of the Excise law-that is, arrests for "exposure." He ordered that when an excise arres was made the arresting officer should hav entered on the blotter the name of the beverage which had been sold to him, whiskey or beer, or whatever. That was because the men were very forgetful. They would make an arrest for sale and in court the next morning would forget what they had bought and the charge would be reduced to "exposure," and it would become a fake arrest, and the defendant would be dismissed. When I went there I insisted upon genuine arrests, and all the liquor dealers hollered murder. The Presiden of the Liquor Dealers' Association, Mr. Rocha threatened my men in court that ne would have them transferred for making genuine arrests My men told me of this, but I ordered them to keep right on making genuine arrests. Both

Q .- Can you tell us how? A .- Yes. The liquor dealers complained to Commissioner Martine When the friends of my two men went to Martin he told them that my men had been blackmailing the liquor dealers. They wanted to show by the record that they had made noth ing but genuine selling arrests. They were not permitted to do so. I was told that I was transferred for making too many arrests. Q.-Did you discuss your transfer with any

officers were transferred, and I soon followed.

told him I thought it was a shame that I should be transferred for making genuine arrests, and he told me to keep quiet and it would all adjust Q .- Do you know who moved your transfer in the Police Board? A .- Commissioner Martin

ne? A .- Yes; with Superintendent Byrnes. I

That was what I was told by Commissioner of Charities Sheehy. He was a friend of one of my men, and interested in the matter. ONLY TWO POOL ROOMS TO PLUCK IN LEONARD STREET. Q.-Where were you transferred to? A .- To

the Fifth precinct (Leonard street), where I remained only about nine weeks. Q.-V hat collections did you make there? Only from two pool rooms in Canal street. Q .- What about the merchants, for obstructs ng sidewalks? A. I did nothing in that buse ness. I was not there long enough to get ac-

Q. What did the pool rooms pay? A .- Two ndred dollars a month each that is the rega ular pool room rate.

PAID SOME OF IT TO M'AVOY. Q .- To whom did you pay a share of that? A .- To Inspector McAvoy, Inspector of the dia-

Q .- Then how did you know he would accept? A. (smiling grimly)—Well, he did not refuse it.
Q.—Where did you first pay him? A.—I think gut it in an envelope \$50 and left it on his

the regular way -as you did not know him well? It seemed to go all right. I laid it in front the rather Education.

Who were your ward men there? A .- Mo nott and Kehoe.

Q .- Do you know of cases of ward men having Q.—You are a police Captain of the city of New York? A.—I am, sir. by any one wanting to get on the force? A .-Very wall known. Q .- Name some so known by common rumor and nature? A .- Yee, sir.

witness on behalf of the State of New York to testify here concerning matters relating to the Police Department of this city. In obeying the subposens of this committee and taking the oath

"I have come here to tell the truth

RIS IMMUNITY EXPLAINED TO HIM.

the present circumstances.

at their conclusion. Mr. Goff announced that all witnesses in the court room under subposns vere excused from further attendance until Wednesday morning next, but, although there were scores of such witnesses them, not one gave up his seat or standing room, Then Mr.

Q.-The practice had not commenced then?

tures? A .- Yes, sir. Q .- And with the duties and hardships of the O .- Are there any inequalities in the busines

excusing men from duty, and not sending them out on special duty when it is their time for

Q.-This favoritism causes discontent among

Q .- Well, what effect has that interference?

Q .- And a Sergeant seeking promotion or any

of finances cigars, &c., but no money. Q .- Give us an idea if the class of men ap

Q .- To what cause do you attribute that? A. The later appointments don't seem to be as

Q.-Is it a matter of common rumor and pointment to the police force are obliged to pay ?

Q .- Can you tell us how money is paid for ap-

lesperate mob of people making frantic efforts o gain admission not only the usual class of idlers, but many who have seldom, if ever, attended a session. The cloth was represented not only by the Rev. Father Ducey, but also by the Rev. Dr. James M. King of this city, a Bap tist parson from New Jersey, and a colored Meth odist parson from somewhere up town. Charles Stewart Smith was there, and District Attorney Fellows, with his deputies, Battle and Lindsay,

and Prince Hatzfeldt, with a number of greatly amazed fellow clubmen, who looked when they at last reached the inside of the court room as if they had been doing some football interference in their best suits of clothes Lawyer Grant was there, on the scent, perhaps, of what was to be said about Williams, and Lawyers Howe and Joe Moss, attorneys for the witness, were in the struggle to obtain seats. Eminent counsellors shared court room chair with the committee's detectives, and before the afternoon session was called to order a batter ing ram could not have lodged another unshat tered human being inside the room. What with

witness looked a little more composed than in the morning when he again took his seat. Mr Goff resumed his examination by asking: POLICE IN THE PEQUOD CLUB. Q .- Have you had men in your command

shom you have brought to trial assert that they

had pull enough to insure an acquittal? A. They have not said so to me, but I have heard Q .- Information reaches us that some officers charged with offences have practically defler you on account of their pull? A .- Yes, sir, prac

most of them belong to political organizations or clubs. Q .- Some to the Pequed Club? A .- Yes Q.—Is there a pressure brought to bear on of-ficers to join that club? A.—Well, I was asked

to join. I was told it might benefit me, as Com-

Q .- And on grounds of politics? A .- Yes

mer Sheehan was President. Q .- Would you have joined otherwise? A. Q .- Although you are of the same politica party? A .- Yes, sir. Q .- Do you know of other Captains who h long? A .- The only ones I have met there are Capts. Devery and Price. There are also quite a number of Sergeants and patrolmen members Q.-Did you hear of policemen being paid off in advance that they might attend the Pequod

Club outings? A .- No, sir; I never heard that

Q .- Do you know anything about these outing ickets? A .- I only attended one. I bought four or five tickets at \$5 each. Q .- And heard of other police officials buying them? A .- Yes. Q .- And soliciting liquor dealers to buy them -Yee; I had one complaint from a liquor he objected because he was a member himself. Q .- It was commonly understood that police

men forced those tickets on liquor dealers and

small tradeamen on their posts? A.—So I have

DUNLAP LOOKED AFTER PROTECTION FO

STERBS.

The witness said that he was a ward detective

under Capts. Steers and Williams. He was appinted by Steers, who preceded Williams the Tenderloin. -What did Steers say to you when he de tailed you as a ward detective? A .- Not one word. I had some special duty to do before that in the same line. Q .- But did you not have an understandin about protection ? A .- I want to explain that to you, Mr. Goff. I was detailed as ward de

tective to look after minor crimes. There was

another ward detective named Dunlap who had

all of the protection business in charge. I knew

that, and so, without being told anything, I

simply minded my own business.

The witness said that Dunlay was twice re duced to post duty, once by Superintenden Murray because he had interfered with a pool room. Dunlap is not retired. Price, the present Captain, succeeds Dunlsp. Q .- Price's special work was to look after dis orderly houses? A .- Yes.

COUNTRY. Q .- And there was no pretence by them of this crowd and the diabolical persistence of the nt-at-Arms in refusing to open the win dows, the atmosphere soon became so foul that

> WILLIAMS GOT THE MONEY. Q.-Now, Capt. Schmittberger, tell us whom did all that money for protection go di-

Q .- Do you know of any officer being reprinanded for interference with such places? Q .- Then what was the understanding which

Q .- And if he should be so hardy as to inter-

ALLEGED HUBHING UP OF CRIME.

Embeddler Saely will fully explain the me used in defrouding the 80 on and Lea her ra-morrow's great Saely and Lair other articles, concred potunts, and Christians dolls

ber and location of his policy shops and arranged with Gannon

December of the same year.

Q .- Had you ever paid him anything before? What collections did you I ake in the

> this yes see him take it? A -I do not think so the first time Why did you pay him that way? Was it

Mr. Goff then put the same "legal" questions